

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**EASTERN DIVISION**

**U.S.A. vs. Daniel Montrell Myrick**

**Docket No. 4:05-CR-37-1H**

**Petition for Action on Supervised Release**

COMES NOW Mindy L. Threlkeld, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Daniel Montrell Myrick, who, upon an earlier plea of guilty to 21 U.S.C. §841(a)(1), Possession with Intent to Distribute Cocaine and 21 U.S.C. §841(a)(1), Possession with Intent to Distribute More Than 5 Grams of Cocaine Base and a Quantity of Cocaine, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on December 6, 2005, to the custody of the Bureau of Prisons for a term of 100 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 48 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
2. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

On September 29, 2008, pursuant to 18 U.S.C. §3582(c)(2), the imprisonment portion of the defendant's sentence was reduced from 100 to 84 months. All other provisions of the judgment dated December 6, 2008, remained in effect.

Daniel Montrell Myrick was released from custody on April 30, 2010, at which time the term of supervised release commenced.

On April 4, 2012, the court was notified that the defendant tested positive for marijuana on March 23, 2012. The defendant was placed back in our Surprise Urinalysis Program and was verbally reprimanded for his conduct.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** The defendant tested positive for cocaine on September 26, 2012. The defendant has been referred for individual substance abuse counseling and his drug testing has been increased. It is now recommended that a condition be added allowing the defendant to participate in a cognitive behavioral program.

**Daniel Montrell Myrick**  
**Docket No. 4:05-CR-37-1H**  
**Petition For Action**  
**Page 2**

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

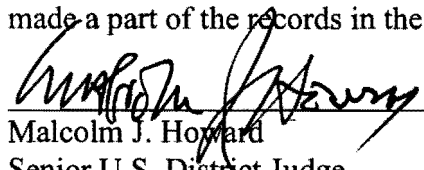
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld  
Mindy L. Threlkeld  
U.S. Probation Officer  
310 Dick Street  
Fayetteville, NC 28301-5730  
Phone: (910) 483-8613  
Executed On: October 16, 2012

**ORDER OF COURT**

Considered and ordered this 17<sup>th</sup> day of OCT, 2012, and ordered filed and made a part of the records in the above case.

  
\_\_\_\_\_  
Malcolm J. Howard  
Senior U.S. District Judge